

October 9, 2009

The Honorable James D. Boyd
The Honorable Karen Douglas
Siting Project Committee
California Energy Commission
1516 Ninth St.
Sacramento, Ca. 95814

DOCKET

07-AFC-6

DATE	OCT 09 2009
RECD	OCT 12 2009

Re: Carlsbad Energy Center Project (07-AFC-6)

Terramar Status Report #9

Dear Commissioners:

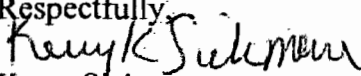
Terramar is still waiting to see what the EPA will decide about performing a PDS review for the project. How our air could be impacted by this project is of great concern to the residents of our neighborhood.

Though the San Diego APCD has completed their FDOC there are no district rules that cover the combined and cumulative pollution impacts of not just one, but possibly two power plants, plus an interstate that is slated to expand up to twelve lanes of traffic and a train, all located in an area that is already in nonattainment for Ozone Federal 8-hr. and serious nonattainment status for Ozone State 1-hr, and nonattainment for PM 2.5 and PM10. We call upon the CEC to evaluate all of these conditions for us so that we can be completely assured that our air will be fully safe, especially for the residents of our neighborhood with asthma, COPD, and all other respiratory conditions before allowing one more impact to our area.

On Thursday, October 8, 2009 the San Diego Air Pollution Control District (SDAPCD) held a hearing to consider an appeal of the Final Determination of Compliance (FDOC) by Rob Simpson. Mr. Simpson felt that it was important for the SDAPCD to allow public comment on the FDOC, especially in the Carlsbad area where the greatest impacts from the proposed plant would be felt by the public. The appeal was denied and the APCD Hearing Board as well as the APCD felt that the public comment could be made at the FSA workshop and the CEC hearings.

Mr. Simpson made the point in his appeal to the SDAPCD that when the FDOC passes to the CEC, public comment on the FDOC may not be considered as significantly by the CEC, a state commission, rather than the local air pollution district.

Respectfully,


Kerry Slekmann



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION
FOR THE CARLSBAD ENERGY
CENTER PROJECT**

**Docket No. 07-AFC-6
PROOF OF SERVICE**
(Revised 9/15/2009)

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DECLARATION OF SERVICE

Kerry K.

I, Siermann, declare that on 10/9/09, I served and filed copies of the attached, Proof of Service List, State Report 9, dated 10/9/09. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [http://www.energy.ca.gov/sitingcases/carlsbad/index.html]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

✓ sent electronically to all email addresses on the Proof of Service list;

 by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

✓ sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

 depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Kerry K Siermann